S.B.CR MISC. BAIL APPLICATION NO.10/2007

Date : 09.01.2007

HON'BLE MR. SATYA PRAKASH PATHAK,J.

Mr. B.S. Rathore for the applicant.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

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Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case and the allegation against the accused applicant that he was escorting the vehicle in which contraband material was recovered which was above commercial quantity, therefore, I do not feel inclined to extend benefit of bail to the applicant. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. stands rejected. However, the applicant shall be free to move regular bail application before the learned trial court after recording of statements of the material witnesses.

(SATYA PRAKASH PATHAK), J.